



Albuquerque Bernalillo County Water Authority

Albuquerque
Government Center
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Title: Authorizing an Agreement Between the Albuquerque Bernalillo County Water Utility Authority and the Pueblo Los Cerros Homeowners' Association to Allow a Private Sanitary Sewer Service Connection

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ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

BILL NO. R-19-19

RESOLUTION

Authorizing an Agreement Between the Albuquerque Bernalillo County Water Utility Authority and the Pueblo Los Cerros Homeowners' Association to Allow a Private Sanitary Sewer Service Connection

WHEREAS, The Property, Pueblo Los Cerros, is an existing development consisting of approximately 40 acres zoned for residential use on the west side of Loma Larga Rd. approximately 560 feet north of the Bernalillo County line in Sandoval County in the Village of Corrales ("Village"). The Property was developed in the 1980's as a condominium community of 100 units; and,

WHEREAS, Pueblo Los Cerros is located outside of the Water Authority's currently adopted Water Service Area; and,

WHEREAS, Pueblo Los Cerros is currently providing itself sanitary sewer service via an onsite private wastewater treatment plant which the Developer, the Pueblo Los Cerros Homeowners

Association (“PLC”), would like to abandon and, instead, connect through a private force main to the Water Authority’s sanitary sewer system; and,

WHEREAS, the Water Authority’s Water and Wastewater System Expansion Ordinance requires that new service developed outside the Water Authority’s service area will: incur no net expense to the Water Authority; be facilitated by a Board approved development agreement; and, be subject to provisions of relevant updated planning documents as approved by the City and/or County. BE IT RESOLVED BY THE WATER AUTHORITY:

Section 1. PLC will obtain all permits, assurances, and approvals from the Water Authority, the Village of Corrales and the City of Albuquerque development/design review process. Construction of the private force main and connection infrastructure necessary to the provision of wastewater service to the Property shall be solely the responsibility of the Developer in conformance with the plans approved by the Water Authority and all applicable plans, specifications, requirements, and standards of the Water Authority.

Section 2. The provision of wastewater service to the Property and the expansion of the Water Authority sanitary sewer system shall incur no net expense to the Water Authority or current ratepayers and shall be subject to Utility Expansion and Water Supply Charges current at the time of connection and as updated from time to time.

Section 3. The provision of wastewater service to the Property shall be contingent upon the Developer properly constructing, operating, maintaining and improving the necessary private infrastructure to establish and maintain a viable connection with the existing Water Authority sanitary sewer system and paying any applicable rates in the Water Authority’s Water and Sewer Rate Ordinance. The Water Authority shall have exclusive right to claim any return flow credits which the State Engineer may authorize as a result of wastewater flows from the Property.

Section 4. PLC will be responsible for close coordination of the project with the Water Authority during the design and construction phases, including the review of the design details during the design process, and the approval of specifications and contract documents.

Section 5. The Executive Director is authorized to enter into an Agreement with PLC consistent with this Resolution and Water Authority Ordinances for the provision of sanitary sewer service to the Property.